

Assembly Bill No. 1749

CHAPTER 424

An act relating to health facilities, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor October 10, 2007. Filed with
Secretary of State October 10, 2007.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1749, Dymally. Health facilities: private nonprofit university medical education project.

The California Educational Facilities Authority Act establishes the California Educational Facilities Authority, the purpose of which is to provide private institutions of higher education within the state an additional means by which to expand, enlarge, and establish dormitory, academic, faculty, and staff housing, and related facilities, finance those facilities, refinance existing facilities, and to provide private and public institutions of higher education within the state an additional means to assist students in financing their costs of attendance. A provision of the act that became effective on September 29, 2006, requires an applicant for financing to provide documentation, before the authority approves the issuance of bonds for the project for which financing is sought, that the project is either in compliance with the California Environmental Quality Act or is not within the scope of that act.

This bill would instead require that, until July 1, 2008, the provision described above would not apply to a private nonprofit university medical education project consisting of a single building if the State Treasurer determines that the university received from an underwriting firm a draft engagement agreement that was dated September 25, 2006, and that was subsequently entered into by the university, for purposes that included the issuance of bonds by the California Educational Facilities Authority for that project based on the requirements of that provision as it read from January 1, 1987, to September 28, 2006, inclusive.

This bill would declare that it is to take effect immediately as an urgency statute.

The people of the State of California do enact as follows:

SECTION 1. (a) Notwithstanding any other provision of law, the amendments enacted by Chapter 714 of the Statutes of 2006 (Assembly Bill No. 1341 of the 2005–06 Regular Session) to subdivision (b) of Section 94212 of the Education Code shall not apply to a private nonprofit university

medical education project consisting of a single building if the State Treasurer determines that the university received from an underwriting firm a draft engagement agreement that was dated September 25, 2006, and that was subsequently entered into by the university, for purposes that included the issuance of bonds by the California Educational Facilities Authority for that project based on the requirements of that subdivision as that subdivision read from January 1, 1987, to September 28, 2006, inclusive.

(b) This section shall become inoperative on July 1, 2008, and, as of January 1, 2009, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2009, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order that a medical education project may be financed to provide necessary health care in a timely fashion in an underserved community, it is necessary for this act to go into effect immediately.